Remarks

Claims 1-60 are pending in the present application. Claims 1-60 are rejected. According to the

Office Action, Claims 1-60 are rejected under the judicially created doctrine of obviousness-type double

patent as being unpatentable over claims of U.S. Patent No. 6,740,308 B2, as these claims are "either

anticipated by, or would have been obvious over, the reference claims." Office Action at 2. Also,

Claims 1-30 are provisionally rejected under the doctrine of obviousness-type double patenting as being

unpatentable over claims of copending Application No. 10/749,536.

Applicants have filed with this response Terminal Disclaimers with regard to U.S. Patent No.

6,740,308 B2 and copending Application No. 10/749,536. Applicants believe that this addresses the

Examiner's concerns and respectfully request reconsideration of the application, withdrawal of all

rejections, and allowance of the application in view of these actions and remarks.

Conclusion

The Applicants appreciate the Examiner's careful and thorough review of the application and

submit that the Examiner's concerns have been addressed by the remarks above. The Applicants

accordingly request the Examiner to withdraw all rejections and allow the application. In the event the

Examiner believes a telephonic discussion would expedite allowance or help to resolve outstanding

issues, prosecution of the application, then the Examiner is invited to call the undersigned at (650) 687-

3926. Please direct all correspondence to the following customer number: 37485.

In the unlikely event that the transmittal letter is separated from this document and the Patent

Office determines that an extension and/or other relief is required, Applicants petition for any required

relief including further extensions of time and authorizes the Commissioner to charge the cost of such

petitions and/or other fees due in connection with the filing of this document to **Deposit Account No.**

502731.

Respectfully submitted,

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> Serial No. 10/768,293 Attorney Docket No. 00035.09CON

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